**NOTICE OF APPEAL** 

Notice is hereby given that Defendant BMJ, LLC hereby appeals to the United States Court of Appeals for the Ninth Circuit, from the Order Denying Defendant BMJ's Motion to Compel Arbitration and Stay Litigation Pending Arbitration, entered on October 11, 2007.

Only Defendant BMJ, LLC and no other Defendant appeals by this notice.

Dated: November 9, 2007

Respectfully Submitted,

RAGGHIANŢI FREITAS LLP

By:

Patrick M. Macias

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